

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

CHAMBER OF COMMERCE OF  
THE UNITED STATES OF  
AMERICA; FORT WORTH  
CHAMBER OF COMMERCE;  
LONGVIEW CHAMBER OF  
COMMERCE; AMERICAN  
BANKERS ASSOCIATION;  
CONSUMER BANKERS  
ASSOCIATION; and TEXAS  
ASSOCIATION OF BUSINESS,

Plaintiffs,

v.

CONSUMER FINANCIAL PROTECTION  
BUREAU; and ROHIT CHOPRA, in his  
official capacity as Director of the Consumer  
Financial Protection Bureau,

Defendants.

Case No.: 4:24-cv-213-P

**JOINT REPORT REGARDING SCHEDULING**

The parties respectfully submit this joint report in response to the Court’s December 10, 2024, order regarding scheduling. As outlined below, the parties request that the Court enter a briefing schedule for cross-motions for summary judgment to resolve any remaining issues in this case:

1. On December 6, 2024, the Court entered an opinion and order that, among other things, denied Defendants’ motion to dissolve the preliminary injunction and lift the stay of the Credit Card Penalty Fees Final Rule that Plaintiffs challenge in this case. *See* Opinion & Order, ECF No. 128.

2. On December 10, 2024, the Court entered an order determining that the case “does not appear to present additional issues requiring discovery” and “find[ing] it necessary for the Parties to

provide a summary judgment briefing schedule.” *See* Order, EF No. 129. Accordingly, the Court ordered the parties to “prepare a joint report that details the remaining legal issues and a summary judgment briefing schedule for those issues.” *Id.*

3. The Bureau’s position is that all issues in the complaint remain live for summary judgment purposes because the Court’s recent order only resolved certain issues on the preliminary injunction standard.

4. The parties agree that it is appropriate to resolve any remaining issues in this case through summary judgment briefing. The parties have conferred and respectfully request that the Court enter the following agreed-upon schedule:

- a. Defendants shall file the certified index of the administrative record and serve the administrative record on Plaintiffs by **January 9, 2025**.
- b. Plaintiffs shall file their opening Motion for Summary Judgment by **February 20, 2025**.
- c. Defendants shall file their combined Cross-Motion for Summary Judgment and Response to Plaintiffs’ Motion for Summary Judgment by **April 3, 2025**.
- d. Plaintiffs shall file their combined Response to Defendants’ Cross-Motion for Summary Judgment and Reply in Support of their Motion for Summary Judgment by **May 1, 2025**.
- e. Defendants shall file their Reply in Support of their Cross-Motion for Summary Judgment by **May 22, 2025**.

DATED: December 23, 2024

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2024, a true and correct copy of this document was served electronically by the Court's CM/ECF system to all counsel of record.

/s/ Stephanie B. Garlock  
Stephanie B. Garlock